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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAMES C. KANG,

Plaintiff,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 17-cv-06220-BLF

**ORDER STRIKING DEFENDANT'S
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
OPPOSITION TO PLAINTIFF'S
MOTION FOR CLASS
CERTIFICATION; DIRECTING
DEFENDANT TO REFILE BRIEF ON
OR BEFORE NOVEMBER 13, 2018;
AND STRIKING DEFENDANT'S
OBJECTIONS TO EVIDENCE IN
OPPOSITION TO PLAINTIFF'S
MOTION FOR CLASS
CERTIFICATION**

[Re: ECF 42, 43]

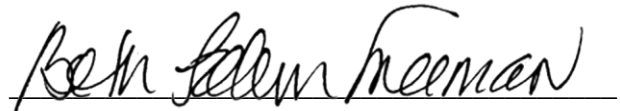
The Court hereby STRIKES Defendant Wells Fargo Bank, N.A.'s Memorandum of Points and Authorities in Support of Opposition to Plaintiff's Motion for Class Certification (ECF 42), as it violates this Court's Standing Order Re Civil Cases, which directs that "[f]ootnotes are to be used sparingly and citations to textual matter shall not be contained in footnotes." Judge Freeman's Standing Order Re Civil Cases ¶ E.4. Defendant's brief contains 87 footnotes, many of which consist of citations to authorities in support of textual matter contained in the body of the brief. Citations to authorities may not be contained in footnotes.

Defendant SHALL FILE a corrected brief on or before November 13, 2018. The brief shall not be modified substantively but shall be modified only as to form to correct the errors noted above. Any footnotes contained in the corrected brief shall be in no less than 12-point font and double spaced. Because Defendant's brief will not be modified substantively, Plaintiff's November 15, 2018 deadline to file a reply is NOT extended.

1 The Court hereby STRIKES Defendant's Objections to Evidence in Opposition to
2 Plaintiff's Motion for Class Certification (ECF 43), as it violates the Court's Civil Local Rules,
3 which require that "[a]ny evidentiary and procedural objections to the motion must be contained
4 within the brief or memorandum." Civ. L.R. 7-3(a). Objections may be included in the corrected
5 opposition so long as the brief does not exceed 25 pages in total.

6 **IT IS SO ORDERED.**

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8 Dated: November 8, 2018

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10 BETH LABSON FREEMAN
11 United States District Judge
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